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ROTHWELL, FIGG, ERNST & MANBECK, P.C.
1425 K Street, NW
Suite 800
Washington, D.C. 20005

In re Application of: PATEL, Bipin, C., M.	:	
U.S. Application No.: 10/521,814	:	DECISION ON RENEWED
PCT No.: PCT/GB2003/002919	:	PETITIONS UNDER
International Filing Date: 04 July 2003	:	37 CFR 1.47(b) AND
Priority Date: 22 July 2002	:	37 CFR 1.59(b)
Attorney's Docket No.: 1768-134	:	
For: CONJUGATES OF N-	:	
HYDROXYPROPYMETHACRYL-	:	
AMIDE-METHACRYLATE ...	:	

This decision is issued in response to the "Request For Reconsideration Of Petition For Filing A Patent Application By Other Than The Inventor Pursuant To 37 CFR 1.47(b)" and the "Letter Regarding Previously Filed Petition To Expunge Pursuant To 37 CFR 1.59(b)" filed 11 August 2006, and the "Supplemental Petition for Expungement.." filed 22 June 2007. No additional petition fees are required.

BACKGROUND

The procedural background for the present application was set forth in the decision mailed by this Office on 11 April 2006. In that decision, applicant's "Petition For Filing A Patent Application By Other Than The Inventor Pursuant To 37 CFR 1.47(b)" under 37 CFR 1.47(b) filed 27 January 2006 was dismissed without prejudice for failure to satisfy all the requirements for a grantable petition. The 11 April 2006 decision also stated that the "Petition For Expungement Of Information Or Copy Of Papers In Application File Pursuant To 37 CFR 1.59(b)" filed 27 January 2006 would be held in abeyance pending a final determination on the petition under 37 CFR 1.47(b).

On 11 August 2006, applicant filed the "Request For Reconsideration Of Petition For Filing A Patent Application By Other Than The Inventor Pursuant To 37 CFR 1.47(b)" and the "Letter Regarding Previously Filed Petition To Expunge Pursuant To 37 CFR 1.59(b) considered herein (Deposit Account No. 02-2135 will be charged the required two-month extension fee).

On 22 June 2007, applicant filed a supplemental petition under 37 CFR 1.59(b).

DISCUSSION

1. Renewed Petition Under 37 CFR 1.47(b)

The 11 August 2006 submission included a declaration in compliance with 37 CFR 1.497 executed by the previously non-signing sole inventor, Bipin C. M. PATEL. As this inventor had been the subject of the original petition under 37 CFR 1.47(b), such petition is no longer necessary. The petition under 37 CFR 1.47(b) is therefore appropriately dismissed as moot.

2. Renewed Petition To Expunge Under 37 CFR 1.59(b)

The "Letter Regarding Previously Filed Petition To Expunge Pursuant To 37 CFR 1.59(b)" filed 11 August 2006, and supplemented on 22 June 2007, is treated herein as a renewed petition to expunge under 37 CFR 1.59(b).

The petition is granted.

Petitioner requests that a document entitled "Declaration by Tristan Brittain-Dissont" (with accompanying exhibits) filed 17 January 2006, be expunged from the record. Petitioner states that either (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(g) has been paid.

The information in question has been determined by the undersigned to not be material to the examination of the instant application.

Applicant is required to retain the expunged material(s) for the life of any patent which issues on the above-identified application.

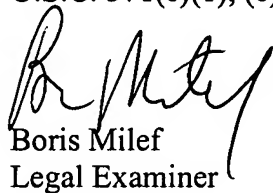
The expunged material has been removed from the official file.

CONCLUSION

The renewed petition under 37 CFR 1.47(b) is **DISMISSED** as moot. The declaration filed 11 August 2006 is accepted in compliance with 37 CFR 1.497.

The renewed petition to expunge under 37 CFR 1.59(b) is **GRANTED**.

The application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 11 August 2006.



Boris Milef

Legal Examiner

Office of PCT Legal Administration

Telephone: (571) 272-3288

Facsimile: (571) 273- 0459

Enclosure:

Declaration by Tristan Brittain-Dissont